

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:	10/777,411	§		
Confirmation No.:	4318	§	Examiner:	Schillinger, A. M.
Filing Date:	February 12, 2004	§	Art Unit:	3774
First Named Inventor:	Charles Gordon	§	Atty. Dkt. No.:	5943-00300/EBM
Title:	ARTIFICIAL SPINAL UNIT	§		
	ASSEMBLIES	§		
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**STATUS INQUIRY**

**Mail Stop: Issue Fee**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On May 30, 2008, Applicant submitted a Petition to Add Inventor for the above-referenced application. Pursuant to PAIR, the documents were entered on June 2, 2008 (please see attached document). On August 4, 2009 and March 23, 2010 Applicant filed additional status inquiries requesting the Patent Office to notify Applicant as to the status of the matter (please see attached documents).

Applicant has received no correspondence or communication from the Patent Office with regard to the Petition to Add Inventor. Applicant hereby respectfully requests the Patent Office to notify Applicant as to the status of this matter.

It is believed that no fees are due in connection with the filing of this Status Inquiry. However, if any fees are due, the Commissioner is hereby authorized to deduct said fees from Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.

Respectfully submitted,

/Eric B. Meyertons/

Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: December 13, 2010



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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Application No.: 10/777,411  
Confirmation No.: 4318  
Filing Date: February 12, 2004  
First Named Inventor: Charles Gordon  
Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES

Examiner: A. M. Schillinger  
Art Unit: 3738  
Atty. Dkt. No.: 5943-00300/EBM

<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <i>May 30, 2008</i></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and to the addressee for:</p> <p>Commissioner for Patents Alexandria, VA 22313</p> <p><i>Jackie L. Pire</i> Jackie L. Pire</p>
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**TRANSMITTAL OF PETITION TO ADD TO ORIGINALLY NAMED INVENTORS OF  
NONPROVISIONAL PATENT APPLICATION UNDER 37 C.F.R. 1.48(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant encloses the following:

- (1) Petition and Fee to Add to Originally Named Inventors Pursuant to 37 C.F.R. 1.48(a) (3 pages);
- (2) Assignee Consent Under 37 C.F.R. §1.48(a)(5) (1 page), the referred to Assignment is recorded at reel 016732, frame 0318;
- (3) Inventor Statement Under 37 C.F.R. §1.48(a)(2) (1 page);
- (4) Application Data Sheet 37 CFR 1.76 (5 pages);
- (5) Originally executed Declaration of Charles R. Gordon (3 pages);
- (6) Originally executed Declaration of Corey T. Harbold (3 pages);
- (7) Originally executed Declaration of Heather S. Hanson (3 pages);

Gordon et al.  
10/777,411

- (8) Fee Authorization in the amount of \$130.00 to cover the fees as follows (2 pages):

\$130.00 -- Petition for Correction of Inventorship fee; and

- (9) A return postcard.

If any fees are omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5943-00300/EBM.

Respectfully submitted,

Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. BOX 398

AUSTIN, TX 78767-0398

(512) 853-8800 (voice)

(512) 853-8801 (facsimile)

Date: May 30, 2008



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

www.elsevier.com/locate/jmb

Examiner: Unknown  
Art Unit: 3732  
Atty. Dkt. No.: 5943-00300/EBM

## DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents  
Alexandria, VA 22313-1450

Jackie L. Patry

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Pursuant to 37 C.F.R. §1.48(a), please amend above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

**Amendment to the Specification**

On page 1 (Title Page), please add beneath the list of inventors the following additional inventor:

Heather S. Hanson

Remarks

This amendment and petition is to add to the originally named inventors under 37 CFR §1.48(a). Please add the following previously unnamed person as an inventor of this application: Heather S. Hanson.

Attached is:

- a) a statement from Heather S. Hanson that the error in inventorship occurred without deceptive intention on her part;
- b) a declaration by the actual inventors as required by 37 CFR §1.63;
- c) a fee authorization to cover the processing fee set forth in §1.17(i); and
- d) written consent of the assignee.

Should additional fees be required or if fees have been overpaid, please charge or refund the appropriate fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.

Respectfully submitted,

Eric B. Meyertons  
Reg. No. 34,876

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: May 30, 2008



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411  
Confirmation No.: 4318  
Filing Date: February 12, 2004  
Inventors: Gordon et al.  
Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES

§ Examiner: A.M. Schillinger  
§ Art Unit: 3774  
§ Atty. Dkt. No.: 5943-00300/EBM  
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<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <u>May 30, 2008</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage to first class mail on the date indicated above and is addressed to:</p> <p>Commissioner for Patents Alexandria, VA 22313-1450</p> <p><u>[Signature]</u> Heather L. Piro</p>
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ASSIGNEE CONSENT UNDER 37 CFR §1.48(a)(5)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

The undersigned, being Assignee of the entire interest of the above-identified application by virtue of a previously filed assignment, hereby consents to a correction of inventorship to include Heather S. Hanson as an actual inventor along with the original named inventors, Charles Gordon and Corey Harbold, in connection with the above-captioned Application.

Flexuspine, Inc.

By: [Signature]

Name: Vincent J. Jannetty

Title: CEO

Date: May 21, 2008





PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411  
Confirmation No.: 4318  
Filing Date: February 12, 2004  
Inventors: Gordon et al.  
Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES

§ Examiner: Unknown  
§ Art Unit: 3732  
§ Atty. Dkt. No.: 5943-00300/EBM  
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CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: May 30, 2008

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents  
Alexandria, VA 22314-1450

Jackie L. Fire

INVENTOR STATEMENT UNDER 37 CFR §1.48(a)(2)

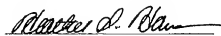
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

I, Heather S. Hanson, hereby declare that my omission as an inventor on the original declaration for the above-identified application occurred without deceptive intent on my part.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements are made with knowledge that willful false statements are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Feb. 24, 2006

  
Heather S. Hanson

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice) (512) 853-8801 (facsimile)  
Date: \_\_\_\_\_




<b>Application Data Sheet 37 CFR 1.76</b>		<b>Attorney Docket Number</b>	5943-00300
		<b>Application Number</b>	
<b>Title of Invention</b>	ARTIFICIAL SPINAL UNIT ASSEMBLIES		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

## Secrecy Order 37 CFR 5.2



- ☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filings only. Applications that fall under Secrecy Order may not be filed electronically.)

## Applicant Information:

<b>Applicant 1</b>			
<b>Applicant Authority</b> <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117	
		<input type="radio"/> Party of Interest under 35 U.S.C. 118	
<b>Prefix</b>	<b>Given Name</b>	<b>Middle Name</b>	<b>Family Name</b>
	Charles	R.	Gordon
<b>Residence Information (Select One)</b> <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service			
<b>City</b>	Tyler	<b>State/Province</b>	TX
<b>Country of Residence</b>	US		
<b>Citizenship under 37 CFR 1.41(b) i</b>			
US			
<b>Mailing Address of Applicant:</b>			
<b>Address 1</b>	7302 Hollytree Drive		
<b>Address 2</b>			
<b>City</b>	Tyler	<b>State/Province</b>	TX
<b>Postal Code</b>	75703	<b>Country</b>	US
<b>Applicant 2</b>			
<b>Applicant Authority</b> <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117	
		<input type="radio"/> Party of Interest under 35 U.S.C. 118	
<b>Prefix</b>	<b>Given Name</b>	<b>Middle Name</b>	<b>Family Name</b>
	Corey	T.	Harbold
<b>Residence Information (Select One)</b> <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service			
<b>City</b>	Tyler	<b>State/Province</b>	TX
<b>Country of Residence</b>	US		
<b>Citizenship under 37 CFR 1.41(b) i</b>			
US			
<b>Mailing Address of Applicant:</b>			
<b>Address 1</b>	631 Tremont Place		
<b>Address 2</b>			
<b>City</b>	Tyler	<b>State/Province</b>	TX
<b>Postal Code</b>	75701	<b>Country</b>	US
<b>Applicant 3</b>			
<b>Applicant Authority</b> <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117	
		<input type="radio"/> Party of Interest under 35 U.S.C. 118	
<b>Prefix</b>	<b>Given Name</b>	<b>Middle Name</b>	<b>Family Name</b>
	Heather	S.	Hanson
<b>Residence Information (Select One)</b> <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service			
<b>City</b>	San Antonio	<b>State/Province</b>	TX
<b>Country of Residence</b>	US		

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	5943-00300	
		Application Number		
Title of Invention	ARTIFICIAL SPINAL UNIT ASSEMBLIES			
Citizenship under 37 CFR 1.41(b) <sup>1</sup> US				
Mailing Address of Applicant:				
Address 1	8635 Cross Spring			
Address 2				
City	San Antonio	State/Province	TX	
Postal Code	78251	Country	US	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button. <span style="float: right;"></span>				

### Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.	
Customer Number	35690
Email Address	<span style="float: right;"> </span>

### Application Information:

Title of the Invention		ARTIFICIAL SPINAL UNIT ASSEMBLIES	
Attorney Docket Number	5943-00300	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	
<b>Publication Information:</b>			
<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)			
<input type="checkbox"/> Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.			

### Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> US Representative (37 CFR 11.9)

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	5943-00300	
		Application Number		
Title of Invention	ARTIFICIAL SPINAL UNIT ASSEMBLIES			
Customer Number	35690			

### Domestic Priority Information:

This section allows for the applicant to claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status	Pending		<a href="#">Remove</a>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	
		10634950	2003-08-05	
Prior Application Status	Pending		<a href="#">Remove</a>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	
		10660155	2003-09-11	

Additional Domestic Priority Data may be generated within this form by selecting the **Add** button.

### Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

<a href="#">Remove</a>			
Application Number	Country <sup>i</sup>	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			<input type="radio"/> Yes <input checked="" type="radio"/> No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

### Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

**Assignee 1**

If the Assignee is an Organization check here. ☐

Prefix	Given Name	Middle Name	Family Name	Suffix

**Mailing Address Information:**

Address 1			
Address 2			
City		State/Province	
Country <sup>i</sup>		Postal Code	
Phone Number		Fax Number	
Email Address			

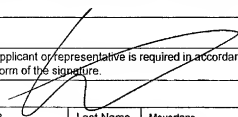
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	5943-00300
		Application Number	
Title of Invention	ARTIFICIAL SPINAL UNIT ASSEMBLIES		

Additional Assignee Data may be generated within this form by selecting the Add button.

**Signature:**

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

Signature				Date (YYYY-MM-DD)	May 30, 2008
First Name	Eric B.	Last Name	Meyertons	Registration Number	345760

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



PATENT  
5943-00300

### DECLARATION

I, a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ARTIFICIAL SPINAL UNIT ASSEMBLIES**, the specification of which:

- ☐ is attached herewith.  
☒ was filed on February 12, 2004 as Application Serial No. 10/777,411.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### PRIOR FOREIGN APPLICATION(S)

<u>Priority Claimed</u>		
N/A		Yes/No
(Number)	(Country)	(Date Filed)
N/A		Yes/No
(Number)	(Country)	(Date Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

10/634,950	August 5, 2003	Pending
(Application Serial No.)	(Filing Date)	(Status)
10/660,155	September 11, 2003	Pending
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)



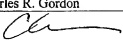
I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

N/A	
(Application Serial No.)	(Filing Date)
N/A	
(Application Serial No.)	(Filing Date)

Please address all correspondence in connection with this application to:

Customer Number 35690  
Eric B. Meyertons  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. Box 398  
Austin, Texas 78767-0398  
Ph: (512) 853-8800

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Charles R. Gordon  
Inventor's Signature:  Date: 12/26/07  
Country of Residence: United States Citizenship: U.S.  
Residence Address: 7302 Hollytree Dr Tyler, TX 75703  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Corey T. Harbold  
Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Country of Residence: United States Citizenship: U.S.  
Residence Address: \_\_\_\_\_  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Heather S. Hanson

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Residence: United States Citizenship: U.S.

Residence Address: \_\_\_\_\_

(Include number, street name, city, state and zip code)



I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

N/A  
(Application Serial No.) (Filing Date)

N/A  
(Application Serial No.) (Filing Date)

Please address all correspondence in connection with this application to:

Customer Number 35690  
Eric B. Meyertons  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. Box 398  
Austin, Texas 78767-0398  
Ph: (512) 853-8800

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Charles R. Gordon

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Residence: United States Citizenship: U.S.

Residence Address: \_\_\_\_\_  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Cory T. Harbold

Inventor's Signature:  Date: \_\_\_\_\_

Country of Residence: United States Citizenship: U.S.

Residence Address: 631 Tremont Pl Tyler TX 75701  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Heather S. Hanson

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Residence: United States Citizenship: U.S.

Residence Address: \_\_\_\_\_  
(Include number, street name, city, state and zip code)



# DECLARATION

a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ARTIFICIAL SPINAL UNIT ASSEMBLIES**, the specification of which:

☐ is attached herewith.

☒ was filed on February 12, 2004 as Application Serial No. 10/777,411.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claimed</u>
N/A			Yes/No
(Number)	(Country)	(Date Filed)	
N/A			Yes/No
(Number)	(Country)	(Date Filed)	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

10/634,950	August 5, 2003	Pending
(Application Serial No.)	(Filing Date)	(Status)
10/660,155	September 11, 2003	Pending
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

N/A	
(Application Serial No.)	(Filing Date)
N/A	
(Application Serial No.)	(Filing Date)

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Inventor's Full Name: Charles R. Gordon

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Residence: United States Citizenship: U.S.

Residence Address: \_\_\_\_\_  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Corey T. Harbold

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Residence: United States Citizenship: U.S.

Residence Address: \_\_\_\_\_  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Heather S. Hanson

Inventor's Signature: Heather S. Hanson Date: Feb. 24, 2006

Country of Residence: United States Citizenship: U.S.


Residence Address: 8635 Cross Spring, San Antonio, TX  
(Include number, street name, city, state and zip code) 78251



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411  
Confirmation No.: 4318  
Filing Date: February 12, 2004  
First Named Inventor: Charles Gordon  
Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES

§  
§ Examiner: Schillinger, A. M.  
§  
§ Art Unit: 3774  
§  
§ Atty. Dkt. No.: 5943-00300/EBM  
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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. §1.8
DATE OF DEPOSIT: <u>Aug 4, 2009</u>
I hereby certify that this correspondence is being deposited with the United States Patent Office electronic filing system on the date indicated above
 Jackie Pitts

STATUS INQUIRY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

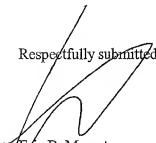
Sir:

On May 30, 2008, Applicant submitted a Petition to Add Inventor for the above-referenced application. Pursuant to PAIR, the documents were entered on June 2, 2008 (please see attached document).

Applicant has received no correspondence or communication from the Patent Office with regard to the Petition to Add Inventor. Applicant hereby respectfully requests the Patent Office to notify Applicant as to the status of this matter.

It is believed that no fees are due in connection with the filing of this Status Inquiry. However, if any fees are due, the Commissioner is hereby authorized to deduct said fees from Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.

Respectfully submitted,



Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: Aug 4, 2009



PATENT

JFW ✓

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411  
Confirmation No.: 4318  
Filing Date: February 12, 2004  
First Named Inventor: Charles Gordon  
Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES

§  
§ Examiner: A. M. Schillinger  
§ Art Unit: 3738  
§ Atty. Dkt. No.: 5943-00300/EBM  
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<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <i>May 30, 2008</i></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and at the address below:</p> <p>Commissioner for Patents Alexandria, VA 22312</p> <p><i>Jackie L. Pitts</i> Jackie L. Pitts</p>
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**TRANSMITTAL OF PETITION TO ADD TO ORIGINALLY NAMED INVENTORS OF  
NONPROVISIONAL PATENT APPLICATION UNDER 37 C.F.R. 1.48(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant encloses the following:


- (1) Petition and Fee to Add to Originally Named Inventors Pursuant to 37 C.F.R. 1.48(a) (3 pages);
- (2) Assignee Consent Under 37 C.F.R. §1.48(a)(5) (1 page), the referred to Assignment is recorded at reel 016732, frame 0318;
- (3) Inventor Statement Under 37 C.F.R. §1.48(a)(2) (1 page);
- (4) Application Data Sheet 37 CFR 1.76 (5 pages);
- (5) Originally executed Declaration of Charles R. Gordon (3 pages);
- (6) Originally executed Declaration of Corey T. Harbold (3 pages);
- (7) Originally executed Declaration of Heather S. Hanson (3 pages);

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411  
Confirmation No.: 4318  
Filing Date: February 12, 2004  
First Named Inventor: Charles Gordon  
Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES

§  
§ Examiner: Schillinger, A. M.  
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§ Art Unit: 3774  
§  
§ Atty. Dkt. No.: 5943-00300/EBM  
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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. §1.8
DATE OF DEPOSIT: <u>3/23/10</u>
I hereby certify that this correspondence is being deposited with the United States Patent Office electronic filing system on the date indicated above
 Jackson Fink

STATUS INQUIRY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On May 30, 2008, Applicant submitted a Petition to Add Inventor for the above-referenced application. Pursuant to PAIR, the documents were entered on June 2, 2008 (please see attached document).

Applicant has received no correspondence or communication from the Patent Office with regard to the Petition to Add Inventor. Applicant hereby respectfully requests the Patent Office to notify Applicant as to the status of this matter.

Gordon et al.  
10/777,411

It is believed that no fees are due in connection with the filing of this Status Inquiry. However, if any fees are due, the Commissioner is hereby authorized to deduct said fees from Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.



Respectfully submitted,

Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: 3/23/10



## PATENT

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CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8

DATE OF DEPOSIT: *May 30, 2008*

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commission for Women  
Alexandria, VA 22313

*Jackie L. Pitt*  
Jackie L. Pitt

TRANSMITTAL OF PETITION TO ADD TO ORIGINALLY NAMED INVENTORS OF  
NONPROVISIONAL PATENT APPLICATION UNDER 37 C.F.R. 1.48(a)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

Applicant encloses the following:

- (1) Petition and Fee to Add to Originally Named Inventors Pursuant to 37 C.F.R. 1.48(a) (3 pages);
- (2) Assignee Consent Under 37 C.F.R. §1.48(a)(5) (1 page), the referred to Assignment is recorded at reel 016732, frame 0318;
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